

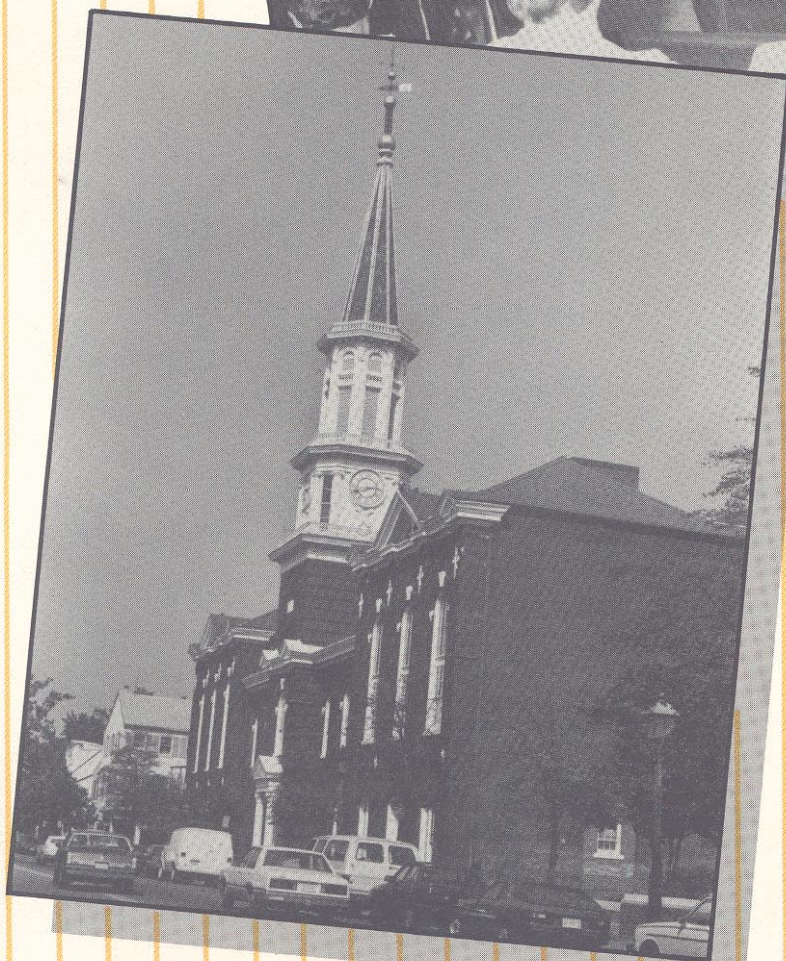


# Community Television Review

Volume 8, No. 3

1985

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# LETTER FROM THE MANAGING EDITOR

This issue of the Community Television Review is devoted to government access. This is by no means an exhaustive presentation of local government programming. What follows is, rather, a sampling of the most important ideas, issues, and considerations for government access programmers. This issue features profiles of government access operations, techniques that can be used to build effective government access, and philosophical discussions on the issues that government access programmers face. We have also reprinted a portion of the results from a municipal access survey conducted by the Cable Television Information Center.

For those readers who have more general interests, we have printed an analysis of the Quincy "must carry" decision and how it may affect public, educational, and governmental access. As a part of our ongoing series of articles on the implications of the Cable Communications Policy Act of 1984, we have also included an analysis of the contract modification section of the act. And, as in every issue, there is a technical tips section for community programming producers.

The CTR Editorial Board recently met in New York to select themes for 1986. I believe they have selected an exciting lineup for next year. The following are the selected themes:

*Political and Social Issues Programming* ..... Spring/1986

*NFLCP's Tenth Anniversary/The History of  
Community Television* ..... Summer/1986

*Producing For Community Television* ..... Fall/1986

*Trends in Access Development* ..... Winter/1986

If you have any ideas, or if you wish to contribute an article, please feel free to contact me.

Paul D'Ari

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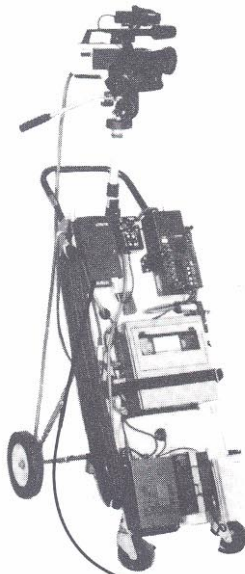
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# Developing A Promotional Plan For A Government Programming Operation

By Andy Beecher

Notwithstanding a few tense days around budget time; or the day the humidity gets so bad that the tape sticks to the heads; or the time the (former) student intern finds that close-up of the city attorney sleeping in the back row at a city council meeting—municipal programmers delight in what they do for those 40 to 80 hours a week, working in usually small, usually obscure spaces somewhere in the recesses of city hall. Perhaps it's the excitement of being part of a process where important decisions are being made; perhaps it's the joy of being grainfully employed in television; perhaps it's knowing the importance of the service that is being provided to city residents.

In any case, this enthusiasm is the most important ingredient for developing a successful government access operation. And this enthusiasm must be transmitted to key individuals working in the departments, divisions, offices, committees, and commissions of city hall. So, in addition to being a writer, producer, technician, manager, instructor, and director—government access programmers must be organizers and salespeople, and they must be patient.

In taking these first steps, however, one must consider how attainable each programming idea is, and not take on the most complex projects right away. Individuals who are inexperienced in television production invariably overestimate the capabilities of the equipment and underestimate the amount of time it takes to do what it is they think would be an ideal first project. Therefore, the initial project for an agency that wants to begin using cable, should not be an ambitious 28-minute overview of everything that department does, and ever did. The recommended approach is to begin with a 60-second spot, or a brief clip about a single aspect of that department's activities, to be incorporated into a regular series that is already underway. The department will see results in a relatively short period of time without exhausting the staff of both the cable office and the other government agency. Moreover, the agency will learn to appreciate the amount of work television takes,

even for relatively short pieces, and future goals are more likely to be realistic.

All government access operations need to package themselves so that other government agencies realize the value of government access programming.

A promotional tape demonstrating the handiwork of municipal programmers may help to break the ice. The tape should be a well made composite, but it would be undesirable to blow the budget on a post-production house, digitizing the video and displaying technological gimmickry that can't be delivered later (what could be worse than a 30-second introduction, paced like "Miami Vice," followed by 2 hours and 18 minutes of the "Minneapolis City Council"?).

It is also important to develop a brochure, a bookmark, or something that will outline the municipal programming agency's services; and it should be widely distributed to city offices. The results of surveys, demonstrating local cable channels should also be publicized.

A logo is another promotional tool, both for viewership, and retention among city agencies. It should be compatible with the particular jurisdiction's image—not overly flashy or pretentious (it might be wise to incorporate the city's existing logo, or at least the same type of lettering). The logo should appear on cameras, equipment, boxes, monitors, stationery, and almost anything that moves in and out of the office. The logo should also be used continuously on the channel.

One of the most important tasks is to try establishing a liaison within each city agency, and form an advisory group of government access users. To identify these liaisons, it may be appropriate to meet first with the city's department heads (in workshops and in meetings), to show them exemplary videotapes, and explain how municipal television can help them meet their communication goals. Hopefully, the heads of these agencies will be able to identify liaisons in their departments who will: 1) have good communications skills; 2) be a cooperative and imaginative participant; and 3) be able to work during regular business hours, or be pro-

vided with compensatory time off for after-hours work.

The next step is to hold workshops for the departmental liaisons, including such topics as script writing, interviewing, and aspects of graphics and technical video production. Other important topics for discussion in these groups might include: how to be an interviewee, and how to help their department heads and other staff members. Videotaping mock sessions and playing them back is a helpful means to get liaisons used to being in front of the cameras.

Additional meetings with each liaison will allow brainstorming for more programming ideas. They should be asked to identify some common public misconceptions about their agency's services, or to inventory topics of agency expertise which would be of particular interest to selected audiences.

It really pays to keep elected officials aware of government access and its potential. It is not hard to demonstrate the impact of covering city council meetings. This "window of government" helps dispell the monolithic myths about city hall, and help decision makers recognize the medium's potential when, for example, constituents tell them how well (or poorly) they did at the last meeting they watched on the city channel. The city council can be the best ally of government access programmers. Since elected officials probably already feel the impact of city council meeting coverage, it may be less of a challenge to demonstrate the importance of government access programming to them. The city council may be the best ally of government access programmers because they know the medium can serve as an important mechanism for community dialogue. And if elected officials are made aware of additional interactive techniques that are possible through cable technology, they may be able to convince skeptical department heads that cable provides a worthwhile vehicle for furthering public education.

Government access doesn't sell itself. It's still a very new concept, even in the "older" centers where they have only



been doing this for ten years. There is outreach work to do well before the first cassette is loaded, and this outreach needs to continue long after this cassette is retired from the shelves.

In order to develop a successful government access operation, it is important to conduct a needs assessment for the agencies and committees which can be served by government access. A survey that will determine the types of communicating that they already do, or would do if they could, serves not only to answer questions about the nature and scope of the communications going on in city hall, but it also gets these agencies to think more about internal and external communications, and how they can be assisted in facilitating this communication.

As these needs are discussed, a well-balanced set of long- and short-ranged goals for a government access outreach program should be developed. What goals can be set for a fledgling government telecommunications operation that will, at the outset, attract a diverse group of users? An early attempt at promoting and delivering services to a wide cross-section of departments and committees is a wise course to follow. In order to involve even

the most skeptical of department heads in supporting their agency's use of cable communications, it is helpful to show them a wide array of existing programming. For example, if we're producing city council coverage, a public safety program with a police sergeant, a series of public service announcements on city-sponsored recycling, and a live call-in issues-oriented program—even the cynics may see one of their ideas esconced somewhere in one of these formats, and they may come forth.

The following are some additional steps that can be taken to build an effective municipal programming operation:

- Get each department head to appear on a program;
- Distribute PSA's to local broadcasters (in addition to cablecasting them);
- Wire the office of each department head, so they can watch "live" proceedings from their offices (if they have to make a presentation, they can work in their office until the appropriate moment);
- Have an occasional open house, featuring departmental liaisons who

can encourage other city personnel to get involved;

- Send program schedules to all departments, and to the local print media;
- Write press releases on individual programs;
- Solicit letters and calls about programs from viewers, and produce lively call-in programs on city issues; and
- Evaluate each program with department liaisons after its completion, and determine how it can be improved (if necessary).

These are but a few ways in which government television centers are actively promoting themselves for better utilization. If you have more ideas, please send them to me, and I will include them in this column in a future issue.

*Andy Beecher is programming director of the Metropolitan Area Communications Commission in Beaverton, OR. He writes a regular column in the Community Television Review, and can be contacted at MAAC, 12655 SW Center Street, #390, Beaverton, OR 97005.*

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# Measuring Audiences For Government Access Programming

By Laura B. Greenfield

Government access television is now being recognized by local governments as a resource for communicating with citizens. It has tremendous potential to provide information to the public and perhaps even instill a sense of community awareness and pride. Yet, it is difficult as a government access programmer to assess how to best serve our communities without first studying our potential audience.

Who's out there anyway? Should government bodies commit resources to access programming? How can a government provide a meaningful service to cable television viewers in their communities?

Questions like these are being asked across the nation, and in Columbus, which has gained a reputation as a test market, some of these questions have been explored.

The city of Columbus, OH, contracted with the Ohio State University to conduct a telephone survey of cable television subscribers in April of 1984, under the direction of Dr. Thomas A. McCain of the Department of Communication.

The objectives of the study were to determine:

1. What do people know about government access programming?
2. What is the level of awareness of government access programming?
3. What are people's attitudes and opinions concerning government access programming?
4. What are people's preferences for programming and viewing times on government access?
5. What are people's perceptions of government access compared to public access?
6. How do people find out about government access programs? How would they like to find out?
7. What is the viewing level of government access programs?
8. What are the characteristics of viewers and non-viewers of government access programming?

A random digit dialing procedure was utilized and a total of 602 interviews were completed with cable subscribers. The

number of Columbus-area cable subscribers at that time was approximately 161,000.

Much of the information gathered through this study may be meaningful to other cities. Therefore, here is a summary of some of the significant findings.

In Columbus, only 40% of the respondents could recognize the difference between government and public access programs, despite the fact that at that time, over 50% of the public access programs were religious programs. To improve the credibility of government access programming, the study revealed that the planned separation of the three access services was necessary. Columbus now has the three separate access channels: one for public, one for educational, and one for the government.

The city council meetings are well viewed. Over 40% of respondents have watched at least one city council meeting during the year. Cable television subscribers value the coverage of government meetings. In fact, 92% of those surveyed

noted that it was "important that government access coverage of meetings let me see government in action rather than getting second-hand accounts."

Most viewing of government access programs occur between 5:00 p.m. and 8:00 p.m. The government television channel 3 in Columbus is now rotating all regular series and specials during these highest rated time slots. It can be hypothesized that this may be due to the fact that competition from commercial television networks is at its weakest during that time period.

Regular and occasional viewers are more apt to flop through channels to "find out what's on TV" than are non-viewers. In order to maximize our impact with channel flippers, Columbus recently began an experiment. Programs, or on-air promos, now start one minute before the hour and one minute before the half hour. This may be the time when the television audience is engaged in searching for programs. The government television channel was formerly programming a character



Post production of "Silver Skyline," a program geared toward older audiences in Columbus.



generated "metroguide" between programs which tended to often be scheduled during "prime flipping times."

Approximately 75% of government access viewers favor the repetition of programs. This repetition enables programmers to increase viewership for all programs. In Columbus, GTC-3 replays all series during different day parts of different weekdays.

Forty percent of viewers surveyed indicated that "viewing GTC-3 makes me want to get involved in city matters," 45% indicated that they felt "better about how government works" from watching meetings on GTC-3, and 70% noted that "most of the government access programming which I have seen is quality programming." This kind of information justifies local government support for access programming. A caution to government access programmers: 89% of those surveyed agreed that "government access should not be a public relations tool of any one public office." In Columbus, all the branches of the local government participate in the production of programs. Legislative aides to council members, administration staff and city attorneys all regularly sponsor programs, and some serve as hosts of series.

The study revealed several differences between viewers and non-viewers. Viewers were more aware than non-viewers of city-sponsored events, were more apt to indicate an interest in local government affairs and were more likely to have voted in the last city election. GTC-3 has increased

coverage of city-sponsored events. It may be argued, however, that viewers may tend to watch GTC-3 because of their interest in these matters, as opposed to their interest being triggered by GTC-3.

In analyzing the demographic characteristics of viewers and non-viewers, it was determined that there were a few important differences between the two groups. Thirty percent of those surveyed were college graduates who tend to live in two to four person households. Over 40% of them have annual incomes of \$30,000 or more.

One of the most revealing findings was that 24% of our regular viewers were aged 51 and older. As a result of this survey, we began to target programming for this age group. A magazine format weekly series was initiated shortly after the completion of this study. It covers finance, nutrition, and leisure activities. It features the Department of Parks & Recreation's Senior Citizen Centers, staff from the Health Department, and the Social Security Administration. The program has been well received.

When asked for government access programming suggestions, a wide variety of subjects were mentioned. GTC-3 currently has a broad programming philosophy. The city can "sponsor" any program on the government access channel which is beneficial to citizens. The government access channel does not carry any religious programming or any advertising.

GTC-3 was recognized by NFLCP this year when three tapes were selected as finalists in the Hometown USA Video

Festival; an access sampler, a documentary entitled *Seven Horses, Seven Riders*, and an interactive call-in special, *Youth Gangs*, which featured a former gang member.

GTC-3's local weekly programs include:

- \* *Columbus City Council* meeting (live, gavel to gavel).
- \* *Cultural Happenings* (talk show highlighting cultural events and groups in Columbus).
- \* *Connections* (A live weekly hour-long call-in program).
- \* *Consumer Talk* (A consumer affairs series).
- \* *Fit* (an aerobic exercise program featuring recreation leaders).
- \* *Sports Beat* (a sports report about local adult sports leagues in city parks).
- \* *Silver Skyline* (a program geared for those age 50 plus).
- \* *Your Health* (a talk show about health matters).
- \* *Missing Children* (features photographs and descriptions of missing children in Columbus).

On a monthly basis, GTC-3 produces *Special Edition*, a teen report; *Concerning Equality*, a program produced in cooperation with the E.E.O. Office; and *Youth Service Bureau*, which highlights services available to youth in the community.

In addition to these regular series, GTC-3 also covers special events, conferences, concerts, theater in the parks, poetry reading, seminars, and government meetings and public hearings. Documentaries about local issues and services are also produced regularly.

A new *Job Show* series is scheduled to begin this fall which will report on city and state public sector openings, private sector openings, job tips—such as resume writing, and job news—such as local job fairs.

GTC-3 currently has a staff of eight full-time, five part-time production people, student interns and many community volunteers through the Columbus Volunteer Corps.

Government access can only continue to be a viable tool if it follows the changing needs of the public it serves. Through two-way communication techniques, such as surveys, government access can understand its viewers and fulfill its purpose.



Government access staffmember instructs a volunteer during the cablecast of "Consumer Talk," a weekly studio production in Columbus.

Laura Greenfield manages the Government Television Channel 3 for the city of Columbus.



# Coverage Of Public Meetings

By Coralie A. Wilson

One of the most important functions of access programming, is to give citizens an opportunity to see their public officials in action. By covering the deliberations of local government officials, community access producers help return local government to the people.

It is well established that city council meetings are consistently among those programs on local cable channels that enjoy the highest viewership. For example, recent survey conducted for the Miami Valley Cable Council, a consortium of nine cities south of Dayton, OH, found that slightly over 57% of its viewers have watched cablecasts of city council meetings. Equally important, city council members have reported that they are often stopped by citizens who had watched the council meeting the previous night and comment on something that happened during the meeting.

In light of the importance of these meetings, any access center now covering or planning to cover public meetings, especially city council meetings, ought to spend some time clarifying its policies and procedures for handling these vitally important and sensitive proceedings. Effective meeting coverage doesn't start when the cameras are turned on, and stop when they are turned off.

One of the first questions that needs to be asked is, will the meeting be covered live, or will it be taped for a later cablecast? While the answer may often depend on logistics, you need to also weigh the timeliness of the meeting. Live coverage may have slightly more credibility than a taped presentation. If the meeting is taped, every effort should be made to schedule the recast as soon after the meeting as possible.

One of the ways to handle the question of credibility is to tape the meeting from gavel to gavel. In fact, most access facilities have adopted a policy of not editing public meetings, and this is done primarily to avoid charges of bias or editorializing. Will unedited cablecasts encourage every crackpot in town to show up for the meeting? Maybe. But it is not the responsibility of access producers to decide who is or is

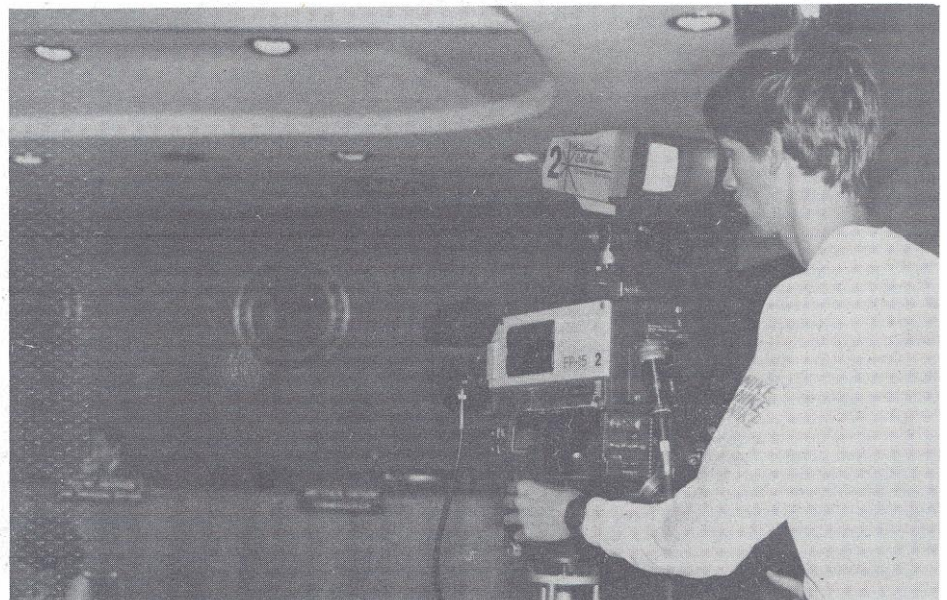
not a crackpot. The responsibility for running the meeting efficiently and, if necessary, controlling speakers who get out of hand, rests with the presiding official.

Another policy question is who will run the cameras and serve as crew? Again, the answer may depend on logistics and staff resources. Since few access operations

have an abundance of paid employees, most of them use a combination of volunteers and interns, supervised by staff. What about training city employees to operate video equipment? The problem that most cities have found is that non-municipal production staff do not have the time, even when they have the motiva-



*A live cablecast of the Centerville City Council meeting in Centerville, OH.*



*Multnomah Cable Access covers the Multnomah County Commissioners meeting.*



tion, to maintain their skills and use them on a regular basis. Cities may also find that the Fair Labor Standards Act will restrict their use of city employees for special duties, such as running cameras for council meetings. Another consideration is that the use of community volunteers and student interns may give the meeting coverage a bit more credibility, and a certain sense of community "ownership" of the process.

Whoever directs and operates the cameras, however, should be carefully instructed not to editorialize by showing popular individuals more often, or catching unpopular ones in unflattering or embarrassing positions. To ensure unbiased coverage, some access operations permit closeup shots only of the person speaking; all other shots are wide shots of the city council or meeting participants. Some operations go even further and prohibit crowd reaction shots.

There are two final issues that should be resolved before the cameras are turned on: who owns the program? and how long do you keep the meeting tape?

For municipal access operations, the answer may be relatively simple. The situation can be a little more complicated for public access operations and before agreeing to cover a public meeting on behalf of a local government or public agency, both sides need to have a clear understanding of who controls the tape once it is shot. In particular, a policy should be adopted that specifies the procedure for requesting a dub and any dub fees. This can be especially critical if a legal issue was discussed during the meeting. It may also be necessary to determine who buys and keeps the tapes of the meeting.

While some city councils have expressed an interest in using videotape as a permanent record of their meetings, the practice is not widespread, primarily because of the cost of the tape and the problem of storage. If the tape is not being used as a permanent record, a policy needs to be established on tape recycling that specifies how long a tape of a particular meeting will be kept.

Covering public meetings provides a valuable service to the community. It also provides community programmers a direct link to the political leadership, and an opportunity to educate them about municipal or public access operation. If it is done well, everyone wins.

*Coralie Wilson is executive director of the Miami Valley Cable Council.*

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**The Cable Television Information Center**  
1500 North Beauregard Street  
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(703) 845-1705



# Managing Municipal Resources: Centralization v. Decentralization

By Drew Shaffer and Cinda Stewart

At the NFLCP National Convention in Boston this summer, there was a workshop devoted to managing municipal communications resources. The central question of the workshop was whether to centralize or decentralize such resources. We discussed how to make such a determination, what influences or forces play a part in such a decision, and what the ultimate goal of the channel is.

During the workshop, several words and phrases were brought up that can be heard in many access-related discussions—words like quality control and the goal or purpose of the channel. In addition, other factors were brought up that influence such a decision. For instance, who already has telecommunications equipment in the city? Who wants such equipment? What is the financial capability of a department to purchase such equipment, and what are the political realities of the council, departments and audience.

Drew Shaffer represented Iowa City, IA (population 70,000), which was used to exemplify decentralization, while Jim Lenkner, representing Pittsburgh, PA, described his city's centralized approach. Pittsburgh has a cable/communications staff of about 40 persons. Iowa City has one and three-quarter full time persons, bolstered by three to five interns and work study persons. Pittsburgh produces programs with multi-camera configurations and professional actors and turns out what could be considered comparatively "slick" shows. Iowa City does not use professional actors and may sometimes use a single camera operation. Most Iowa City programs make use of volunteers and others just representing themselves. All scripts for a program of the city of Pittsburgh must be sent through the cable production office. Having Iowa City's cable office go over a city department's script is optional. Although both offices produce access programming, the difference between much of the programming of Iowa City and the city of Pittsburgh can be compared to the difference between a community theatre revue and a slick Broadway production.

There is no doubt that some of the dif-

ferences outlined between these two cities are due to size, and consequently, the franchise fees and budgets of each. However, centralization or decentralization of equipment and programming control and quality are not only a matter of size, they are also a matter influenced by the local political environment. For instance, what if the Iowa City Council demanded the cable office to provide the same kind of quality productions and programming that they see on national television? What if this same council wanted to control the use of the government access channel for their own political purposes? Both of these situations have occurred in other cities similar in size to Iowa City, and although it hasn't happened here, it could.

Of course we do strive for better quality programming—quality in the sense that it is aesthetically pleasing. But this does not exclude programs made by citizens or organizations that are relevant to Iowa City and the government channel. The range of programs shown on the Iowa City government channel varies considerably in political and philosophical leanings and reflects the diversity of the population. The flexibility displayed by the city in allowing the cablecast of such programs is due in part to a continuing effort to educate key decision-makers about the goals of access.

Every city cable office has to be sensitive to the influences and factors involved in deciding what programming goes on its government channel. Determining the goal or purpose of that channel, and communicating this to the council, the other departments and their audience, is equally important. In Iowa City the goals of the government access channel are to put as much relevant programming on the channel as possible and to respond to as many of the audiences' interests, needs and demands as possible (in Iowa City this means within the framework of civic, informational and educationally oriented material).

A decentralized approach to municipal resources has worked well here. Without such an approach, the police department wouldn't tape their training sessions. The human relations department couldn't use

their orientation tapes without a readily available playback deck. Many others wouldn't be able to do programming without their own equipment, or readily accessible equipment. However, any department that wants to use any of the government access facilities and equipment, is welcome to do so. We also train department staff in production and editing techniques (at their request). We may not have the best looking programming—but it is technically adequate, there is a lot of it, and it is watched.

The concepts of quality, political reality, control and centralization or decentralization, are something every city cable office has to deal with. Many cities maintain very tight control over their channel's programming. And that is certainly their prerogative. If a city cable office decide to emulate commercial television values and quality, so be it. It could be that the political environment has forced such a scenario to occur. Those same political forces which can dominate a government access channel can also affect your public access channel, or any other access channel. Are such cities as interested in protecting public access channels and their user's rights as they are in upgrading their own channels?

Many recently hired city cable officers do not have an access background. While a film broadcast background teaches the concepts of quality, control and centralization, the concepts of access are often neglected.

A bumper sticker seen recently in Iowa City sums it up: "When the people lead, the leaders will follow." In other words, where access is concerned, the primary resource is people. In Iowa City, a decentralized approach to management of telecommunications resources has provided more people with a chance to express themselves. And they have produced the type of programming they want and programming that is relevant to them.

One final note: data transmission, or more specifically, interactive uses of cable to home subscribers, is not far off. We

*Continued on page 34*



# Why Automate The Government Channel?

By Marc Pease

Some friends were over for dinner not long ago, and after a delightful meal I was asked how I liked my job with the city of Tacoma, WA. It was obviously a normal question, but I responded with some laughter, got up from the table, walked over to the television set, and turning it on said, "see this channel, it's the city's cable TV information channel, and the program airing is being completely controlled by automation." Then pushing the converter's channel controls, we browsed up and down the spectrum. Not many of these other channels can say that they are totally automated while operating 24 hours a day with a staff of only three persons.

This has not always been the case. Although the city has been receiving cable television service since 1970, until recently, the only programming that originated from city hall was the weekly council meeting and an occasional public service announcement. The rest of the time on the local channel was programmed by the cable company with a local weather window, a local rock video show and a few promotional subscription free movies.

In 1981, the city council expressed deep concern over the under-utilization of the channel designated for municipal use. During the city budgeting process, the council asked the city cable office about innovative ideas for productivity improvements, different ways of delivering programs, and techniques for creating additional viewing and programming for the municipal access channel.

In order to create a noticeable presence for government programming, the city of Tacoma had to choose between increasing the number of staff positions and automating the channel. Since increasing staff positions was not compatible with the council's budgetary concerns, the cable office proceeded with a venture proposal to determine the feasibility of automation. It was determined that automation would create the following opportunities:

- Since programming can be repeated continuously, a 24-hour-a-day service can be created.

- The channel would be used solely by the municipality, and this would give the channel a clear identity.
- One program can be repeated many times, giving the department in the program more exposure.
- The increase in use of each program provides interested departments an incentive to create more programming.
- The possibilities for programming concepts, such as infomercials and public service announcements would increase.
- The coordination of programs, announcements, and information over a singular municipal channel would stimulate greater community participation in city activities.
- It saves the cost of bring on additional staff.

The city approved the proposal to obtain a Phase Com Director, a Sony 5000 videotape player, and Texscan MSI. The Phase Com Director is a programmer that can play back 19 hours of programming, and schedule seven distinct days of full programming. The Sony 5000 videotape player can go through an entire schedule and will automatically rewind all the tapes at the end of it. The Texscan MSI is a completely programmable teletext system that can provide 400 pages of text.

This equipment was installed in 1984 and it revolutionized Tacoma's municipal programming service. The capability of repeating a message or a program three times a day or three times a week, stimulated a great deal of interest from numerous city departments. Automation substantially increased the exposure of each city department that used the channel and it created an incentive for these departments to keep coming back. We witnessed an incredible growth pattern. Programming on the city's channel quickly increased by 200 percent, and the number of channel users increased by 180 percent. At

the same time, personnel costs were cut by 136 percent.

The city now operates a complete telecommunications information system, 24 hours a day. Video programming produced in conjunction with numerous city departments is cablecast from 10:00 a.m. to 10:00 p.m. Character generation services that includes a list of city services, upcoming events, personnel listings, police and fire information, and a complete list of city sources, are on the channel from 10:00 p.m. to 10:00 a.m. This new information system is so effective that we have been contacted by city employees who have been flooded with calls. We have actually been asked to remove phone numbers from the channel.

\* \* \* \* \*

Local governments are now facing rapid growth and increasing demand for services. With the rapid growth of new technology, there is a challenge to develop new management techniques to ensure productivity improvements. By managing the dissemination of information on the activities of local government, an automated cable system can provide assistance to numerous government agencies that can help them complete their mission more effectively.

The information is not new; only the medium by which it is distributed is changed—changed with performance oriented machines that can transmit the information more efficiently. The next time budget planning takes place and key result areas are discussed, the municipal video production unit should not only look at the bottom line numbers but focus on a management structure that targets innovation, calculated risks, and improving productivity. That focus is automation.



## CTIC Releases Municipal Programming Study

The Cable Television Information Center (CTIC) has just completed a municipal programming survey of 45 local government entities. The survey was conducted by Susan Miller, Carol Ferrante and Janet Quigley of CTIC. The Center has generously allowed CTR to reprint a portion of the results and they are of tremendous value to government access programmers.

CTIC points out that it is not meant to be an exhaustive inventory of government programming activities around the country; it is rather, a collection of diverse examples of those efforts. According to CTIC, the results almost defy generalization. Given the wide range of the survey participants in terms of size, geography, longevity of operation, and program phi-

losophies, the examples might be better interpreted on a case by case basis, the Center said. The following tables are divided into categories by the number of system subscribers (operations with less than 25,000 subscribers, operations with between 25,000 and 70,000 subscribers and operations with over 70,000 subscribers).

### What Agency Is Responsible For Municipal Programming?\*

CATV, Telecommunications Office .....	13
Public Affairs/Public Information Office.....	11
City/County Manager .....	10
Cable Commission .....	4
Library, School, or Fire Department .....	4
Other .....	4

\*These are actual numbers (not percentages) drawn from 45 completed surveys. Reprinted with permission from CTIC.

### Does The Municipal Programming Operation Have Its Own Studio?\*

	Yes	No
Systems With 25,000 Subscribers Or Less .....	15	8
Systems With 25,000 to 70,000 Subscribers .....	9	6
Systems With Over 70,000 Subscribers .....	5	6

\*These are actual numbers (not percentages) drawn from 45 completed surveys. Reprinted with permission from CTIC.

### Municipal Programming Survey

	Hours of Programming Per Week	Number of Full Time Staff	Annual Budget
<i>Systems With 25,000 Subscribers Or Less</i>			
Range* .....	½ hour/month to 25 hours/week	0-5	\$10,000 to \$600,000
Majority** .....	1 to 2 hours a week	2	\$50,000 to \$100,000
<i>Systems With 25,000 to 70,000 Subscribers</i>			
Range* .....	1 hour/week to 25 hours/week	0-9	\$41,000 to \$365,000
Majority** .....	5 to 8 hours/week	3	\$80,000 to \$100,000
<i>Systems With Over 70,000 Subscribers</i>			
Range* .....	1 hour/week to 35 hours/week	1-12	\$42,000 to \$833,000
Majority** .....	8 to 10 hours/week	2	\$40,000 to \$ 90,000

\*The range presents the highest and lowest numbers.

\*\*Majority refers to the relevant figure for just over half of the respondents.

This table is reprinted with permission from CTIC.



### Municipal Programming Operation With 25,000-70,000 Subscribers

City/MSO	Subscribers	Hours Orig./Wk.	Pre-Produced	Hrs. Repeated/Wk.	Own Studio	Staff	Annual Budget
Dubuque, IA Group W	26,300	6-8	Yes	4	No	1 FT 1 PT + IN	\$135,000
Tacoma, WA Group W	26,500	5	Yes	35	Yes (3)	3 FT	\$130,000
Arlington, VA Metrocable	28,300	20	No	20	Yes	2 FT 3 PT	\$155,000
Miami Valley/ Kettering, OH Continental	32,300	6	Yes	28	Yes	6 FT 3 IN 1 PT	\$365,000 ( <sup>1</sup> )
Kenton/Boone Co, KY Storer	34,000	60	No	60	Yes	2 FT  30 IN	\$100,000
Rochester, NY ATC	38,500	6	No	27	Yes	1 FT 2 PT 2 IN	\$50,000
Vancouver, WA Cox Cable	50,000	3	Yes	29	No	4 FT 4 PT	\$125,000
Spokane, WA Cox Cable	51,000	15	Yes	20	Yes	2 FT 1 PT	\$80,000
Reading, PA ATC	52,000	15-20	No	2-3	Yes	9 FT <sup>2</sup>	\$41,000
Portland, OR Rogers Cablesystems	57,400	7.5	No	14.5	No	1 PT	\$85,000
Portland, OR Municipally Owned	Closed Circuit <sup>3</sup>	1-5	Yes	NA	Yes	3 FT	\$130,000
Madison, WI Complete Channel TV	57,700	5-6	Yes	10	No	3 FT 10 PT	\$90,000
Fort Worth, TX Sammons	58,000	1	No	8-10	No	3 FT	\$100,000
Kansas City, MO ATC	59,100	5	No	75	No	7 FT 1 IN	\$60,000
Virginia Beach, VA Cox Cable	60,000	10	Yes	40	Yes	5 FT	\$120,000

<sup>1</sup> Includes public and educational access.

<sup>2</sup> Plus volunteers.

<sup>3</sup> Used by fire, police and other departments.

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### Municipal Programming Operation With 70,000 Subscribers or More

City/MSO	Subscribers	Hours Orig./Wk.	Pre-Produced	Hrs. Re-peated/Wk.	Own Studio	Staff	Annual Budget
Indianapolis, IN ATC	70,200	35	No	35	Yes	6 FT	\$180,000
Pinellas Co., FL Vision Cable	71,300	15	No	15	Yes	2 FT 1 IN	\$42,000
New Orleans, LA Cox Cable	74,000	10	Yes	40	No	10 FT	\$200,000
Pittsburgh, PA TCI	74,000	10	Yes	14	Yes	12 FT 2 PT	\$833,000
Santa Barbara, CA Cox Cable	79,000	20	No	8-10	Yes	1 FT 1 PT <sup>1</sup>	\$50,000
Dallas, TX Heritage	80,000	1	No	1-2	No	3 FT	\$90,000
Seattle, WA Viacom Internat'l	83,000	4	No	4	No	2 FT 1 PT	( <sup>4</sup> )
Aurora, CO United/Jones Intercable	109,400 ( <sup>6</sup> )	25-30	Yes	6	Yes	8 FT 2 PT 2 IN	\$324,000 ( <sup>5</sup> )
Columbus, OH Warner-Amex, Coaxial Comm., ATC, KBLE	170,000 <sup>2</sup>	10	Yes	66	Yes	8 FT 3 PT 10 IN	\$300,000
Miami/Dade Co., FL; Colony, Harte- Hanks, Storer, TCI, others	212,000	25-30	Yes	20-30	No <sup>3</sup>	2 FT	\$180,000
Manhattan, NY (Channel L) ATC/Group W	269,000 <sup>2</sup>	8-9	Yes	15-16	No	2 FT 15 IN	\$150,000

Key: FT—Fulltime; PT—Part-time; IN—Interns; Vol.—Volunteers.

Note: "Hours Originated per Week" includes programming originated by staff.

"Pre-Produced Programming" is any program acquired from an external source.

"Annual Budget" includes annual operating funds and salaries.

<sup>1</sup> Plus volunteers.

<sup>2</sup> Combined total for all systems.

<sup>3</sup> Shares with access; own studio, 6 FT staff plus interns in October. Budget for 1986 is \$300,000.

<sup>4</sup> Budget is combination of funds from other departments.

<sup>5</sup> Part of library facility.

<sup>6</sup> Includes Arapahoe County.

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## Municipal Programming Operation With Less Than 25,000 Subscribers

City/MSO	Subscribers	Hours Orig./Wk.	Pre-Produced	Hrs. Repeated/Wk.	Own Studio	Staff	Annual Budget
Cupertino, CA United	4,400	4	No	1	No	4 PT 14 Vol.	\$70,000
James City Co., VA Continental	4,800	3	Yes	49	No	1 FT	\$15,000
Beverly Hills, CA Group W	8,000	25	Yes	6-7	Yes	1 FT 8 PT	\$95,000
Richardson, TX TeleCable Corp.	11,500	varies + CG	Yes	CG	No	2 FT	\$64,000
Lakewood, CA Tribune	12,000	6-8/mo.	Yes	4-6/mo.	Yes <sup>4</sup>	2 FT 4 PT	\$190,000
Norman, OK Multimedia	13,000	1-10	Yes	5	Yes <sup>2</sup>	1 FT 10 PT	\$60,000
Iowa City, IA Heritage	13,200	6	Yes	6	Yes <sup>4</sup>	1 FT 1 PT	\$35,000
Glendale, AZ Camelback	13,600	5	Yes	15	Yes	3 FT 2 PT	\$140,000 <sup>6</sup>
Ann Arbor, MI Daniels/Scripps-Howard	15,300	15	Yes	45	Yes <sup>4</sup>	2 FT 2 PT 25 IN	\$108,000 ( <sup>4</sup> ) ( <sup>2</sup> )
Lynchburg, VA ATC	16,000	1/mo.	Yes	8/mo.	Yes	2 FT 1 PT	\$50,000
Heath, OH Times-Mirror	16,600 <sup>3</sup>	4-5	No	12-15	Yes	1 PT	\$12,000
Irving, TX Group W	17,200	6-9	No	6	Yes	11 FT 6 IN	\$600,000
Torrance, CA Group W	18,000	1	Yes	45	Yes <sup>2,5</sup>	3 FT 9 PT	\$400,000
Scottsdale, AZ United Cable	18,900	1-2	No	0	Yes	1 FT <sup>1</sup>	\$65,000
Southfield, MI Continental	19,000	4-9	No	10	Yes	5 FT 1 PT	\$246,000
Farmington, Farmington Hills, Novi, MI Metrovision	21,400	20	No	4-5	Yes <sup>4</sup>	2 FT 3 PT	\$96,000 ( <sup>3</sup> )
MACC/Beaverton, OR; Storer	23,000	2.5	Yes	10.5	No	2 FT 2 IN	\$85,000
Yakima, WA Cox Cable	23,600	1	No	1	Yes <sup>4</sup>	3 FT 1 PT	\$144,000 ( <sup>2,4</sup> )
Highland Park, IL Capital Cities	24,200	1.5	No	3	Yes	1 FT <sup>1</sup>	\$10,000

<sup>1</sup> Plus volunteers.<sup>2</sup> Shares with educational access.<sup>3</sup> Budget covers government, public, educational access and local origination.<sup>4</sup> Shares with public access.<sup>5</sup> Includes Newark, OH.<sup>6</sup> Includes regulatory budget.

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# Information At The Touch of A Button: A Profile of Southfield's Municipal Channel

By Kathy Sherman

Only a few years ago, it was an unused space in the lower level of the city's municipal cable building nicknamed, "the sandbox." Today, the Southfield municipal cable division is recognized as one of the most advanced municipal operations in the country.

The result of a 1981 franchise agreement between the city and Continental Cablevision, Southfield's two municipal channels reach 18,000 households. The cable division's complete facility, its studio, equipment and five full-time staff members are funded entirely through the revenue provided by the franchise agreement. Southfield, which borders the northern edge of Detroit, operates on a \$240,000 budget.

Southfield's municipal channels operate 24 hours a day, 7 days a week. Southfield residents are constantly kept in touch with the latest city news, meeting notices, and local activities through a 128-page character generator (CG). Messages are grouped and sectioned by their city departments and follow the channel's weekly programming schedules. The "CG" is also a source for transmitting emergency information. By dialing a special emergency phone number, all programming across the cable system is interrupted by a specially designed CG page, followed by the caller's voice with warning information.

From the beginning, the Southfield Cable Division has been committed to offering its residents a variety of quality programming. Now, over 200 programs later, that commitment is in full force. The city regularly cablecasts programs such as seasonal sports activities, local concerts, health-related shows, timely lectures and special city-sponsored events. Southfield produces three regular monthly programs: "Kids' Choice," a children's book review program; "A Generation Ahead," a senior adult show; and "Neighborhood Focus," a program focusing on neighborhood activities. Southfield also regularly cablecasts bi-weekly city council meetings live. The city normally programs more than 20 hours a week, reserving Fridays for viewer requests of previously scheduled municipal programs.

The following are a number of other programs that have been featured on Southfield's municipal channel:

- Once a year, a program is produced on the current state of property tax assessment. The program is cablecast during the city's property tax assessment process, and it includes information on how to appeal an assessment.
- A show on animal control informs how the city's animal control unit operates.
- A promotional program on the city's community placement program encourages interested city residents to use this service.
- In conjunction with the fire department, programs on fire prevention are regularly produced.
- Numerous library services for children, the elderly and other groups of readers are frequently promoted.

Southfield's residents are not the only ones who have reaped the benefits of municipal cable television. Although skeptical at first, many of the city's various departments are now actively involved in the usage and production of both in-house and over-the-channel programs. For example, the cable division has been used by the building department to videotape building code violations and the fire department to videotape arson cases. In both kinds of cases, the footage has been used in court. The cable division also produced a series of six programs for the courthouse, orienting people who wish to volunteer their time to help individuals on probation.

The Southfield Municipal Cable Division is also a very flexible operation. Simple to elaborate productions are possible either in the city's cable studio or on remote location. The Division is completely outfitted with all the equipment necessary:

- 2 XC-700 Sharp Cameras
- 2 KY-1900 JVC Cameras
- Crosspoint Latch 6112 Switcher

- JVC KM-2000U Special Effects Generator (Remote)
- DVS Phaser II TBC Frame Store
- A number of 5850, 5800, 5600 Recording and Playback Decks
- Tapco 8201B Stereo Audio Mixer
- 2 Sony V04800 (Portable) Editors
- Strand Century Lighting System
- Microphones: Electro Voice (hand-held) Sony (Lavaliers)
- VP-1 Chyron Video Processor

What lies in Southfield's Cable Division's future? Plans for the fall include a new look for the city's two channels and programs.

To say that the Southfield Municipal Cable Division is one busy facility is an understatement. But as the Southfield cable staff would agree, they wouldn't have it any other way.

## FOR YOUR INFORMATION

HELP! I just got a job as a cable administrator. What do I do now? Southfield has printed a handbook for cable administrators. If you'd like a copy, call or write the Southfield Cable Division: Box 2055, Southfield, MI 48037—(313)345-5348.

## TAPES TO BORROW:

The "Southfield Municipal Sampler" presents a comprehensive look at the capabilities of a municipal cable operation. The tape includes everything from basic CG messages and graphics to multi-camera scripted documentaries.

"Talk Back to Me"—serious information included in a light game show format. This tape has traveled to 72 U.S. cities for use by government, schools and insurance companies. A must for safety committees!

If you'd like a copy of either tape, send a blank (30-min.) ¾" or ½" VHS tape.

*Kathy Sherman is cable coordinator for the city channel in Southfield, MI.*



THE

AWARDS

JVC PROFESSIONAL VIDEO COMPETITION PRO AWARDS



JVC<sup>®</sup>  
1985



## OFFICIAL RULES

I  
A. The professional competition is open to any United States business, educational or scientific organization or law-enforcement, government, not-for-profit or community organization that produces videotape programs for use in the organization's U.S. offices, subsidiaries or affiliates. *Independent production companies and individuals are not eligible to submit videotape programs on their own behalf.* Production companies should encourage their clients to enter.

B. The competition for future professionals is open to individual students or groups of students currently attending an accredited United States public or private college or university. The student or group must be following a course of study in teleproduction, mass communication, journalism or film. All programs must be primarily related to the course of study. The professor for whom the videotape was produced *must* sign the entry form.

II  
There is a \$50.00 non-returnable entry fee for professionals; \$25.00 for future professionals. Make checks or money orders payable to JVC Professional Video Competition.

III  
Multiple entries are acceptable. Each entry, however, must be mailed separately and must be accompanied by an official entry form and entry fee. Photocopies of the official entry form are acceptable.

IV  
All programs must be produced with a video camera. Programs may include images or animation transferred from film or still photographs or computer-generated images, but the major portion of each program must consist of originally created video-camera recorded images. Production in any videotape format is acceptable, however, only 1/2-in. VHS or 3/4-in. U-format entries will be accepted. Professional production services may be employed, but the overall creative supervision and/or direction of the professional programs must come from an employee of the entrant organization. Programs may be in color or black-and-white, and should be no longer than 30 minutes and no shorter than 30 seconds. Entries must have been produced between November 30, 1984 and December 31, 1985.

V  
*Entries must be received (not postmarked) before Thursday, January 9, 1986.*

VI  
All entries received will be judged under the supervision of Krandel Management Associates acting as an independent judging organization. The decisions of the judges are final and will be based upon the following criteria:

Creativity in Achieving Stated Objectives (65%)

Editing	Creative Strategy
Direction	Special Effects
Writing	Music Selection

Technical Proficiency (35%)

Videography	Design
Lighting	Talent
Audio	

The purpose of the competition is to determine those programs that excel both in technical proficiency and in the creative use of video to achieve the organization's stated objectives.

VII  
A. One Pro Award winner will be named in each of the four professional program categories: Communications, Training, Promotion/Merchandising, Local Cable Production. At the judges' discretion, up to two special commendations per category may also be awarded for programs that advance the art of communication. Each winner will receive a plaque honoring the achievement.

B. There will be three winners in the competition for future professionals. The first-place winner will receive a \$2,000 tuition scholarship. The second-place winner will receive a \$1,000 tuition scholarship. The third-place winner will receive a \$500 tuition scholarship. In the event that a prize is won by a group of students, the scholarship will be divided equally among them.

VIII  
All honors will be awarded. Limit one per organization, student or group of students. Tax liability for tuition is the sole responsibility of the winning students. All federal, state and local laws and regulations apply. Void wherever prohibited by law.

IX  
Potential winning organizations may be required to have an officer of the organization sign and return an affidavit of eligibility/publicity release within 10 days of notification. Potential winning students or groups of students may be required to sign and return an affidavit of eligibility/publicity release within 10 days of notification. In the event of non-compliance, a potential winning organization, student or group of students will be disqualified, and an alternate winning organization, student or group of students will be honored.

X  
JVC COMPANY OF AMERICA will retain copies of the winning programs to be maintained as part of JVC's library of fine video programming with all credit given to the winning organizations and students. Under no circumstances will JVC use winning programs for commercial purposes, except that JVC is authorized to screen winning programs at publicity or promotion events without further compensation.

XI  
JVC COMPANY OF AMERICA, Shaw & Todd, Inc., Krandel Management Associates and their subsidiaries, affiliates, and agents are not eligible. All entries become the exclusive property of JVC which encourages entrants to send a duplicate (not original) copy of the program. JVC will make every effort to return entries at the end of the competition but does not take responsibility for those entries that are not clearly marked, properly labeled, or lack other critical information. Nor is JVC responsible for damage to videotapes returned via mail or other carrier.



R Code \_\_\_\_\_

Control No. \_\_\_\_\_

P Code \_\_\_\_\_

Date Rec'd \_\_\_\_\_

D Code \_\_\_\_\_

Logger \_\_\_\_\_

## OFFICIAL ENTRY FORM PROFESSIONALS

ORGANIZATION: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
(NUMBER) (STREET)

(CITY) (STATE) (ZIP)

ENTRANT: \_\_\_\_\_

TELEPHONE: (\_\_\_\_\_) \_\_\_\_\_

PROGRAM TITLE: \_\_\_\_\_

OBJECTIVE: \_\_\_\_\_  
(PLEASE DEFINE CLEARLY)

INTENDED AUDIENCE: \_\_\_\_\_

CATEGORY (CIRCLE ONE ONLY):

COMMUNICATIONS

TRAINING

PROMOTION/  
MERCHANDISING

LOCAL CABLE  
PRODUCTION

PRODUCTION FORMAT: 1/2-IN. VHS 1/2-IN. BETA 3/4-IN. U-FORMAT 1-IN. TYPE C OTHER \_\_\_\_\_

ENTRY FORMAT: 1/2-IN. VHS 3/4-IN. U-FORMAT

HOW DID YOU HEAR ABOUT THE JVC PROFESSIONAL VIDEO COMPETITION?

VIDEO PRO INSERT \_\_\_\_\_ PREVIOUS ENTRANT \_\_\_\_\_ BOSTON FILM/VIDEO FOUNDATION \_\_\_\_\_ ITVA \_\_\_\_\_ NFLCP \_\_\_\_\_

MAGAZINE \_\_\_\_\_ HOT LINE \_\_\_\_\_ OTHER \_\_\_\_\_

PROGRAM PRODUCER: \_\_\_\_\_

DIRECTOR: \_\_\_\_\_

WRITER: \_\_\_\_\_

OUTSIDE PRODUCTION SERVICES (IF ANY): \_\_\_\_\_

ENTRANT'S SIGNATURE: \_\_\_\_\_

ENTIRE FORM MUST BE COMPLETED, SIGNED AND ACCOMPANIED BY AN ENTRY FEE.

Send submissions to: KRANDEL MANAGEMENT ASSOC.  
5 E. 16th St.  
6th Floor  
New York, N.Y. 10003

For more information or entry forms call PVC Hotline (212) 244-5225 or write to:  
JVC PROFESSIONAL VIDEO COMPETITION  
c/o Shaw & Todd, Inc.  
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# MACC: Government Programming For Fifteen Cities

By Karen A. Peugh

In the western suburbs of Portland, Oregon, 16 community governments formed the Metropolitan Area Communications Commission (MACC). Fifteen municipalities and one county drew up an intergovernmental agreement in 1980, establishing a commission to jointly administer cable television in the region. The purpose of MACC is to provide unified, high quality cable service throughout the area including public access, educational access, institutional access, and two communications networks (the Public Communications Network, PCN, and the Commercial Communications Network, CCN). By working as a regional commission, system interconnects for such applications as programming and data transmission are assured to public and private sector institutions.

The Commission oversees all aspects of the franchise agreement with Storer Cable, including day-to-day customer service, public access, and production of government programming. Currently, Storer Cable facilitates all public and educational access. Users are trained by the cable company and then can use one of five area studios, a van, or portable equipment to produce their programming.

"We took a lead role in working with our jurisdictions," explains MACC Program Director Andy Beecher, "in making government more accessible and understandable to community residents." Topics for government programming range from elections, to job information, and outreach by various city and county departments.

MACC currently programs two government access channels, Channel 12 and Channel 2. Channel 12 carries programs to all of the MACC region. Channel 2 is used to carry five different programs to five different sub-areas of MACC. Residents can choose from an average of four hours of programming, five days a week, with the rest of the air time being used to carry character-generated messages. Program highlights include: "Washington County Public Affairs Forum," a weekly program on local, regional, state, national, and international issues, produced

by MACC employees of city and county agencies, and community volunteers; "How Does Your Garden Grow?" a gardening information program taped on location, in cooperation with the Oregon State University Extension Service; "County Line," MACC's first live call-in program featuring county officials answering citizens' questions on issues faced by the county government; and "The Homework Assistance Network," a live call-in with honors students helping their peers with homework.

Concurrent with programming for area residents, MACC facilitates internal communications for member governments. The Washington County Fire District, protecting the unincorporated areas of the region, has ten fire stations on the PCN. MACC is facilitating the Fire District's programming by training fire fighters in cable production. The commission has succeeded in helping to procure a demonstration grant through Storer Cable to fully utilize the network. MACC also assisted in constructing a small studio in the Fire District's central administration building. Currently the district uses video conferencing for staff training.

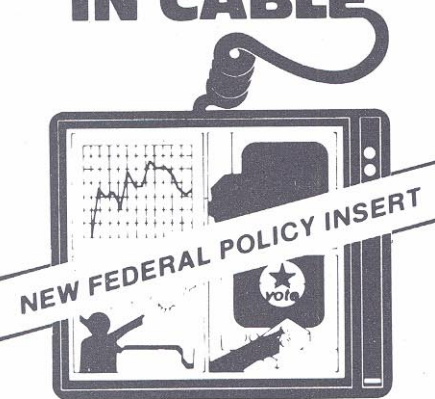
In addition to the Fire District's use of

the PCN, school districts, police departments, and municipalities are using the network for telemetry and other forms of data transmission.

A staff of four handles all aspect of MACC activity. There is an administrator, a program director, a producer, and a secretary. As in almost every access-related programming endeavor, volunteers add to the total labor pool.

Currently MACC is funded by two percent of the operator's gross annual revenues. The remaining three percent is returned to the individual jurisdictions, prorated by the number of subscribers in each municipality. Storer Cable has proposed turning over all access-related activities to MACC, including operation of the access facilities, equipment, and the Public Communications Network. "We're entertaining that (proposal)," says Beecher, "and looking at what the possibilities and problems would be. The commission is going to be looking at that very carefully."

*Karen Peugh is a writer and consultant in Annapolis, MD. This article originally appeared in Cable Reports. It is reprinted here with permission from the Cable Television Information Center located in Arlington, VA.*

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# Telecommunications Planning For Local Governments

By Don C. Williams

A number of cities, counties, and states have begun long-term telecommunications planning. Telecommunications planning can begin with planning to utilize a cable system's institutional network or selecting a new telephone system, and end with a fully integrated telecommunications plan for the municipality or state. Each planning process should reflect the particular goals, needs and perceived opportunities of individual cities. While there is certainly no single process that can be applied to all local governments, a blueprint for action can be found in the following five steps:

- Identify Goals;
- Define Organizational Structure;
- Conduct Inventory;
- Analyze Results; and
- Develop Plan.

## Identify Goals

The overriding goals of telecommunications planning for most municipalities are to:

- incur cost savings over the long term;
- enhance department efficiency;
- enhance government service delivery;
- upgrade interdepartmental communication;
- gain immediate access to information;
- offer employees educational offerings at convenient locations and times;
- reach the public and specialized audiences;
- enhance productivity; and
- develop municipal infrastructure to support economic development.

The initial step for any planning process is to identify goals. Specific goals for data processing may include faster transmission speed, lower error rate, cheaper delivery, and initiating additional access points for electronic mail. Other goals may include city-wide enhancement of training opportunities or regional goals of economic development. Defining the goals and overall depth of the project will assist in ensuring that the end result will meet expectations. This sounds easy, but it is

essential to the completion of a sound telecommunications plan.

## Define Organizational Structure

While municipalities often share overall goals, the organizational structure adopted for telecommunications planning and the specific methodologies involved, vary with the size of the municipality and whether it is to be included in a larger county, metropolitan area, or a state telecommunications plan.

City telecommunications planning should define an organizational structure that will be utilized. The structure will provide the grounding for an ongoing cooperative environment with all municipal agencies, departments, and offices. This grounding is vital to the development of any telecommunications plan and its actual implementation. Among the ways to foster such a grounding is for all parties to be involved in the beginning stages of the process. This may involve the establishment of a telecommunications planning committee, with representation from each city agency and department or a smaller committee, including selected participants. The cooperation and involvement of potential user groups is key since municipal staffs are the source for much of the information to be gathered. In addition, past experience has shown that telecommunications technology will only attain the desired goals if the people using the technology are comfortable with it; it is more likely that this can be accomplished if they have been involved from the beginning. Often this means that the organizational structure for planning should expand beyond the planning committee to all potential users.

One way to involve all potential users in the initial stages would be to prepare general educational sessions on the telecommunications planning process, along with some discussion on current and prospective systems and applications for new communications technology. Also, additional sessions for certain types of personnel could be provided (e.g., data processing/department directors) and/or semi-

nars on specific applications (e.g., teleconferencing, electronic mail, etc.).

## Inventory and Usage Patterns

After establishing the goals and organizational structure of the planning process, the next step is conducting an inventory. This inventory should consist of the examination of existing telecommunications systems and current applications; planned telecommunications systems and future applications; current and future projections of demand for voice, video, radio and data applications; and recent applications made possible through new hardware and software.

With the appropriate municipal officials and personnel already involved, an office by office inventory of equipment and determinations of usage patterns are more effectively and efficiently accomplished. The inventory and usage survey forms should be complete, short and simple to fill out. There are a range of possible formats and questions to be included on such forms. Any and all such draft forms should be evaluated and discussed by the planning committee, and telecommunications and survey experts. Ongoing discussions should be held with departmental management regarding plans for future telecommunications systems enhancement that have been approved in the capital budget and any plans of structural changes which may include new buildings, altered hardware and software, or internal building wiring.

It may also be advisable to conduct follow-up, in-person interviews with selected department management to gain more detailed and procedural information than is practical on the completed survey forms.

The inventory and usage pattern survey provides the municipality with the concrete data needed for the analysis. While this is a time consuming activity, thoroughness and thoughtfulness should not be abrogated. As always, the output is only as good as the input.

## Analyze Results

The analysis of the telecommunication



survey involves an accurate statistical analysis of the primary data on inventory and usage variables and the interpretation of the survey results.

Statistical analysis and interpretation is conducted on intra-department, inter-department and public communications patterns via telephones, face-to-face contact, written correspondence, and data transmission. This analysis should be followed by a determination of whether cost saving alternatives exist which can improve the quality and effectiveness of communications.

When the existing patterns of communications have been analyzed, potential telecommunication solutions to identified problems and needs are examined. The technological options analyzed should be viewed in light of existing and potential needs and the productivity of utilization. The goals of the process will determine if single or multiple technologies will be utilized and in what combinations. Any such discussion should include types of service and uses; system capacity needs and costs; ability to upgrade; reliability; flexibility; compatibility with existing systems; availability of frequencies and spectrum assign-

ment; required capital expenditures; user friendliness; availability from manufacturer; and maintenance and operating costs.

An inventory of a municipality's existing telecommunications technology, surveys of communications patterns, and community needs, allows the municipality to match needs and problems with specific technologies. The municipality is then in the position of being able to develop a recommendation for the optimal design configuration with accurate projections of capital outlays and both short- and long-term cost savings.

The analysis of the inventory results and usage patterns is the backbone of the planning process. This is where knowledge of telecommunications systems and municipal needs combine. If well structured, the analysis can provide decision-makers with the information they need to know, in a format they can understand, to plan their course of action.

### Develop Plan

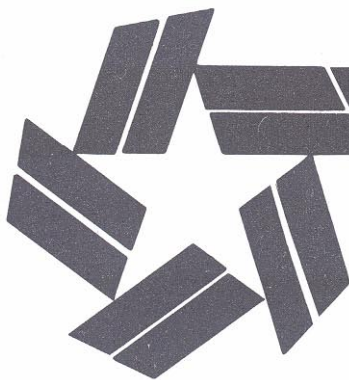
Finally, the city is in position to develop a telecommunications plan. It may be advisable to develop both a detailed five-

year plan and a ten to fifteen year plan.

A telecommunications plan can include: descriptions of hardware and software to be purchased, along with implementation and demonstration schedules, configuration options and costs; personnel requirements within departments and for central management with position requirements, training needs and costs; utilization plan, including introductory and continuing training, organizational analysis, system debugging plan, physical factor analysis and evaluation and monitoring timetables; and a detailed cost benefit analysis of each phase, an efficiency rating and an overall analysis.

After the telecommunications plan is completed, it is ready for implementation. The key to making the plan actionable, is giving municipal officials and potential users, involvement in a step-by-step approach. However, the work is not over when a plan is developed . . . it has just begun.

*Don C. Williams is director of research for Rice Associates, a telecommunications consulting firm located in Washington, D.C.*



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# Municipally Operated Public Access: Another Model To Consider

By Robert W. Thomas

The bottom line for public access is a system that works. I do not argue for or against any of the different functional models: cable company run public access, the separate non-profit access corporation, library operated public access, or government controlled public access. No single model has a monopoly on the "right" way to deal with community access. The correct way is the way that will work best in the community for which it is being considered. As Bruce Crest, cable coordinator in Yakima, WA stated in *NATO A News* (March/April, 1985), "The management of access programs must fit the community in which it plans to operate. Some models (may) work better than others, but all deserve equal consideration."

Access is access. All systems need funding, policy, staff, facilities, equipment, channels for cablecasting the productions, rules and guidelines, and a grievance procedure. Fairly administered, the result will be an effective public access system that is responsive to all citizens.

The municipally operated public access system is one model that deserves serious consideration. It is a system that can work quite well if the adopted policies and rules assure even-handedness and avoid administrative interference with programming. However, the adoption of workable policies and rules is essential to all access projects. The potential for bias and interference is hardly restricted to government! Where there are people, there can be bias.

The system in Raleigh, NC, which is currently under development, will also be municipally operated. While the franchise allows for the creation of a separate non-profit corporation, the city decided to place policy control of public access in the hands of the Raleigh Telecommunications Commission, a 15-member citizens' body appointed by the city council. The city's cable franchise administration office is responsible for the day-to-day operation of the system. One full-time access coordinator runs the project.

Through an access subcommittee appointed by the chairperson of the Telecommunications Commission, the staff

and commission work together to formulate general policies for the center and the four access channels. Staff translates these general policy into working rules and guidelines, which are then reviewed by the committee and commission. The council is provided a copy of the finished materials for information, not necessarily for action or reaction. In our view, the council does not wish to be directly involved with the access center and its operations.

Thus, as with any access project, a group of citizens set policy and will be an arbiter for grievances. And, as with any access center, the day-to-day operations will be run by staff and volunteers. Paid staff are employees of the city, reporting to the cable administrator—but operating the center under policies promulgated by a body of citizens. The city council is only a last resort forum for any of the access activities—and several steps away from the operation of the access center.

The funding sources for access equipment and operations are yearly grants from the cable company to the city, and cannot be utilized for other city activities under franchise stipulations. To get the funds, the city must annually budget them, request them from the franchisee, and use them exclusively for access. Given these conditions, it is not politically feasible for government to tamper with public access funding. Bruce Crest comments on the situation in Yakima: "Sure, the city council does control the strings, and could (with great public protests and dissent) choose to ignore the franchise and refuse to fund the program and/or begin to censor programming. But, I believe that risk also exists with any of the other access models."

One can be certain that any city government that attempted to censor or control programming would face public ire and exposure in the press. I believe that government has, perhaps, more reason to assure fairness and a complete "hands off" attitude in dealing with public access.

From a practical standpoint, access centers within government can realize some economies of scale: benefits which accrue

from being part of the larger administration. According to Bruce Crest (*NATO A News*, March/April, 1985), "some of those benefits include free legal support, computer/financial services, word processing/printing, secretarial service, purchasing services, and an extensive employee salary/benefits package . . ."

Beyond these obvious service benefits, Kalamazoo's Burke adds some other important reasons the city relationship can give access a real boost: "we attribute the association with the city as a major reason for the high degree of involvement in access by community organizations and individuals. When totally independent and starting from scratch, it is difficult for an access center to build credibility and visibility. [The city has] a credibility and visibility already established that is very important to the launching of a community-wide communication venture." (*NATO A News*, April/May, 1985)

Once established, an access center, under any aegis, operates basically the same way: staff runs the facility, trains the volunteers and citizen crews, oversees daily operations, schedules the programming and channels, proposes changes in policy, suggests new equipment for purchase, and works with whoever sets policy and approves capital expenditures. The staff of a center under municipal control works no differently, and thinks no differently about its challenges, its role in community-based programming, and its need to be fair to all participants. It deals no differently with the daily functions of access than would any access staff which is properly in tune with its community.

In the process of deciding which model to adopt for a public access system, each community must decide what is appropriate for their particular circumstances. It is important not to be dogmatic. There are many possibilities and they should all be examined very carefully. Whatever the ad.

But whatever administrative umbrella is finally selected, let's get on with it. Access is access!

*Robert W. Thomas is the Cable Franchise Administrator from Raleigh, N.C.*



# Balancing A Paradoxical Relationship

By Tom Volgy

The relationship between public access and local government is difficult to decipher. Without local government, public access would be virtually non-existent. Local government was largely responsible for the substantial commitments cable operators made to public access during the franchising years. Local government, through both the National League of Cities and the U.S. Conference of Mayors, fought the cable industry to prevent the dismantling of contractual commitments to cities, including, in many cases, provisions for public access. Today, even after the battles in Congress have ended, it is still local government which serves as a watchdog over the local cable operator, and many cities use a substantial percentage of their franchise fees to help subsidize the operation of public access systems.

So much for the good news. The bad news is that government is also under enormous pressures, and these pressures could hinder and eventually undermine a truly free and open public access system. While government is "the best thing" that has happened to public access, it can also become the proverbial two-ton elephant which can crush and destroy by simply rolling over to get closer to a loved one.

In my view, a close working relationship must be developed between public access and local government, but in the operation of public access, government should and must be kept at an arms length. Achieving this balance is a difficult challenge.

It is the local government's responsibility to ensure that the public access system has the resources to maximize citizen participation in cable access programming. Government must also ensure that all access users enjoy full First Amendment rights. Freedom of speech on access channels for those who hold views that are in the minority as well as the majority must be guaranteed. This is the government's responsibility. No other force in society is able to provide this protection.

Unfortunately, local government is particularly susceptible to the kind of pressures that can easily undermine an access

operation. Local governments are also ineffective when it comes to both taking risks and developing long-term projects that require time to perfect (both of which are necessary to cultivate a dynamic public access operation).

We have witnessed too many instances where government, negotiating with the cable operator over financial problems, relents too easily and sacrifices a budding access system for a few pennies of relief. The resource commitment guaranteed by local government is never permanent, and always susceptible to the changing composition of governing bodies and fluctuations in the local economy or the financial ledgers of the operator.

Apart from the financial issue, local government is highly susceptible to pressure from special interest groups who seek to influence the content of access programming. If government is too close to the access system, it can place overwhelming pressure on programming, and as a result, limits may be placed on controversial programming.

Finally, access users must be permitted to produce programming which is critical of elected officials or of the activities in city hall. However, government does not deal with criticism very well, and a very close relationship between government and public access could result in the curtailment of such programming.

I guess the point of all of this is that we cannot create a public access system that is truly viable, that is able to live up to its full potential, without the assistance of local government. Yet, it is also local government that poses a great potential threat to the access system's long-term health.

Therefore, I believe that the third party route to public access is the most fruitful one. An independent, non-profit corporation, with a board of directors directly elected by the users/voters of the community, can attain this objective.

For those disgruntled with programming, the outlet is not government, but the very process by which they elected their directors for their public access system. Under such conditions, government becomes the wrong place to bring such

pressure. In my community, this process has been used to eliminate the role of government in content regulation, and increase the democratic nature of the access system. Individuals who initially raged at public officials over the issue of pornography on television, learned to channel their concerns through the public access board, and in the process have gained an enormous amount of understanding about television and their own opportunities through the medium.

On the other hand, with a strong board and with a large number of users, the third party can exert pressure upon government to supplement access resources, to defend contractual commitments, to protect freedom of speech. At the same time, the access system is still firmly under public control, with decision-makers directly responsible to the community.

The third-party route provides no guarantees of a successful and happy future. The long-term potential of access can only be realized through the selfless and dedicated involvement of large numbers of competent people with a strong vision for their community. But it does offer an opportunity to provide the right kind of balance for government: encouraging it as a partner in our electronic future, while keeping it from direct involvement with the operation of the public's access system.

Other models for public access are also available and they may also work. But it is with this third-party approach that our chances for success are maximized. It is with this approach that public access is most likely to live up to its full potential, helped by, not hindered by government. It is through this approach that public access can truly be free to speak, to be open, and to help create a frontal assault on what too many of us have come to accept as the vast wasteland of our video culture.

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*Tom Volgy is a professor of political science at the University of Arizona and serves as a member of the Tucson City Council.*



# Public Policy

## Contract Modification and The Cable Communications Policy Act of 1984

By Peter Epstein

Over the past several years, news of contract modification requests from cable operators have become commonplace, particularly in urban builds. Increasingly, we are reading about operators requesting major changes in their contractual obligations, in many cases before system construction is completed and, in some cases, before *any* construction has even commenced.

- In Washington, D.C., the operator has requested considerable license modifications before any system construction has occurred including cutbacks in channel capacity, public access and construction requirements.
- In New York, operators for the four unwired boroughs have requested, prior to any construction, a reduction from dual to single cable and, in some cases, franchise payment deferrals.
- In Milwaukee, the operator requested, again prior to any system construction, significant concessions from the city, including a reduction of the dual channel capacity, elimination of the local origination studio and anywhere from \$26-\$30 million in overall relief.
- In Portland, Oregon, the operator requested, in 1983-1984, a number of major concessions from the city, including cancellation of the access payment and \$1 million in other relief.
- Finally, in Boston, the operator has proposed a number of contract modifications including a reduction of access payments, franchise fees and municipal taxes, changes in programming requirements and reduction of facilities and equipment requirements.

While all of these examples necessarily differ factually (for example, the operator in Portland had largely built the system it proposed prior to concession requests), they are all similar in presenting municipal officials and regulators with some exceedingly complex and disturbing questions to

ask and subsequent decisions to make. For instance, what criteria should be used to make such decisions? What information should be required from operators before a decision can be made? How are officials to "balance" the ostensibly conflicting interests of municipalities and their residents with those of the cable operator? How is one to "craft" a "relief package" that both protects the integrity of the franchise agreement *and*, when appropriate, offers relief to operators? How is one to protect contractual provisions freely offered by the operator or those provisions in the contract gained after "hard fought" negotiations? And particularly, how does one protect access? These are difficult questions not easily answered.

However, local government officials should not despair and feel without recourse in a modification procedure. The Cable Communications Policy Act of 1984 (hereafter referred to as "CCPA") gives local officials considerable latitude in enforcing contractual provisions, particularly those licenses in effect before or on the effective date of the CCPA, December 29, 1984. Indeed, the modification section of the CCPA must be seen as clearly advantageous to municipalities in their efforts to protect the integrity of their franchise agreements. It must be remembered that a franchise agreement is first and foremost a legal agreement between the parties, evidencing the terms of that agreement, and the responsibilities of each party. It is a document that *can* be enforced, a fact now substantially reinforced by the CCPA. While the CCPA, and some recent court decisions, have lessened certain areas of municipal regulation and oversight, it has not done so in the area of contract modification.

### Voluntary Modification

Local officials and operators can always enter into voluntary negotiations concerning contract modification. This is, in many ways, the preferred manner in which to proceed. While there are no required guidelines for such voluntary negotiations, local officials should always be willing to listen to an operator's requests for

changes and be prepared to fully analyze the facts surrounding that request. It might be possible for the requests to be granted, resulting in a "win-win" situation. On the other hand, officials, in voluntarily granting contract changes, should always insist upon a quid pro quo; that is, the officials should insist upon getting something for the municipality in exchange for granting a concession to the operator. For example, in exchange for delaying system addressability, the municipality might insist that a certain area be wired sooner, if construction is still in progress, or that a required I-Net be activated sooner.

One example of a voluntary negotiation occurred in Portland, Oregon, which agreed to certain changes largely because the operator had, in fact, complied with many significant requirements, including two-way and I-net activation.

The following is a list of strategies to keep in mind, when voluntarily negotiating possible license changes:

1. Insist upon a reasonable quid pro quo;
2. If requested and reasonable, agree to *deferrals* of contractual requirements, never outright give-backs or abolishment of requirements. Also structure in an annual "review process" to determine when that particular requirement should be "reactivated." Set standards for such reactivation if possible.
3. Try to retain as much of the integrity of the original agreement as possible.
4. *Insist* that the operator, and its banks and investors, be an integral part of any amendment process. While the municipality may be willing to be a part of the plan, it should never agree to become the sole solution. And, the municipality has every right to see documentation on this matter: letters to banks, limited partners, a lesser management fee taken by the operator, more equity put into the system, etc.
5. A written agreement that the concessions and/or commitments will be returned earlier if the operator returns



"to health" earlier.

6. *Insist* upon a complete financial analysis of the operator's business. To this end, the municipality should, if possible, rely on its financial officers, tax assessors and cable advisors (if any) to make such a study. If this is impossible, the municipality is strongly urged to retain professional advice, particularly consultants able to analyze the operator's finances and assumptions.
7. Hold at least the final clarification meeting or negotiation in public. Afford the operator the usual due process protections: notice, opportunity to be heard, etc. Keep either a written or taped record.
8. Remember that the advantage clearly lies with the municipality during these negotiations. The municipality can insist on contract compliance and the operator either does so or violates the agreement, or proceeds through the CCPA modification procedure (see below), which is, if anything, likely to be far *less* successful than a voluntary proceeding.
9. One last caveat: Section 637 of the CCPA "grandfathers" the terms and provisions contained in all agreements reached prior to December 29, 1984. In voluntary modification proceedings, local officials should keep concessions to a minimum to avoid a situation in which the operator could subsequently charge that the modifications were so sweeping and significant that the changes amounted to a virtual renewal, thus potentially nullifying the grandfathering provisions. (See National League of Cities' booklet, *Cable Franchising and Regulation*) To this end, the advice in #2 above is important: do *not* agree to any blanket give-backs. Do *not* make any concessions permanent. Rather, grant concessions as deferrals and subject to "reactivation" upon set standards. Above all, make certain in writing that the municipality is intending to give short-term concessions, not wholesale give-backs.

## Contractual Modifications

In some cases, license agreements may contain contractual procedures concerning modification requests. If not inconsistent with the CCPA, such provisions may be valid. Officials should be sure of the validity of such provisions before proceeding under such terms.

## Section 625 of the Cable Communications Policy Act of 1984

It is likely that many, if not the great majority of concession requests will be considered pursuant to Section 625 of the CCPA, entitled "Modification of Franchise Obligations." This section sets out the standards, and procedures, by which local officials *must* modify franchise obligations, if the enunciated standards are met by the operator. However, these standards are generally agreed to be very difficult and, in some cases, probably impossible, for the operator to meet. The burden of proof in meeting these standards is clearly on the operator. For these reasons, officials should not fear negotiations held pursuant to Section 625. The standards for modification are rigorous and if operators can meet those standards, they are more than likely entitled to the relief requested.

Section 625 contains two different standards pertaining to license modifications: one dealing with facilities and equipment, the other with services.

To obtain modification of franchise obligations regarding facilities or equipment, the operator must demonstrate that it is a) "commercially impracticable" to comply with such an obligation and b) that the modification request is appropriate because of such commercial impracticability (See Sec. 625 (a) (1) (A)). Section 625(f) goes on to define commercial impracticability as "a result of a change in conditions which is beyond the control of the operator and the non-occurrence of which was a basic assumption on which the requirement was based."

This is fairly complex language and to understand it better, one needs to refer

back to the House Report on the CCPA:

"This standard is meant to cover situations where, for example, particular equipment or facilities required by a franchise has not developed or functioned technologically as anticipated, or is not available; or is available only upon terms sufficiently more burdensome to the operator than when the offer to provide such facilities and equipment was made that courts in similar situations under the UCC [Uniform Commercial Code] have found impracticability; or the equipment or facilities were offered in order to provide services which regulation has prohibited the cable operator from offering." (House Committee on Energy and Commerce, Report on Cable Franchise Policy and Communications Act of 1984, H.R. Report 98-934, 1984.)

In the report, the committee specifically defined commercial impracticability as that standard found in the Uniform Commercial Code (UCC), Section 2-615. Indeed, foreseeability is all important here. Note 8 of UCC Section 2-615 States:

"The exemptions of this section do not apply when the contingency in question is sufficiently foreshadowed at the time of contracting to be included among the business risks which are fairly to be regarded as part of the dickered terms, either consciously or as a matter of reasonable, commercial interpretation from the circumstances."

This is an exceedingly difficult standard for any cable operator to meet. Indeed, many of the more "common" explanations for concessions, such as higher than expected construction costs, lower than expected penetration and revenues, apartment lock-outs, problems with utility companies, higher programming costs, etc., are all entirely foreseeable events, particularly for business people involved in the cable field. These events do *not* qualify operators for relief under the CCPA. Indeed, Congress intended impossibility of performance as closer to the standard to be applied. For example, such impossibility could include required equip-



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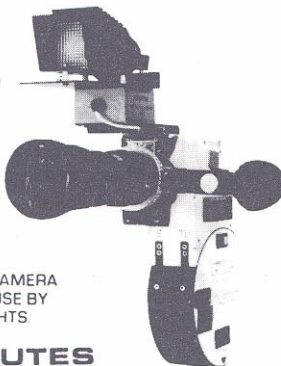
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- 2. REDUCED DEPTH-OF-FIELD.** TO COMPENSATE FOR LOW LIGHT, THE CAMERA'S DIAPHRAGM MUST BE OPENED WIDER (DONE AUTOMATICALLY IN MANY CAMERAS), WHICH GREATLY REDUCES DEPTH-OF-FIELD (ZONE OF SHARPNESS) IN THE PICTURE.
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ment not yet on the market or not yet functioning as required.

What constitutes facilities and equipment requirements? The House Report stated that such requirements may include:

"requirements which related to channel capacity; system configuration and capacity, including institutional and subscriber networks; headends and hubs; two-way capability; addressability; trunk and feeder cable; and any other facility or equipment requirement, which is related to the establishment and operation of a cable system, including microwave facilities, antenna, satellite earth stations, uplinks, studios and production facilities, vans and cameras for PEG use."

This is a broad category. However, officials still have the advantage because most facilities and equipment currently exist and the costs and other factors relating to such facilities were clearly foreseeable at the time the agreement was reached.

To obtain modification of franchise obligations regarding services, the cable operator must demonstrate "that the mix, quality and level of services required by the franchise at the time it was granted will be maintained after such modification" (See Section 625(a) (1) (B)). Thus, an operator could propose moving or substituting one all-news channel (for example, Cable News Network (CNN)) if another all-news channel was available. However, practically speaking, many of the current satellite services (Entertainment and Sports Programming Network, CNN, USA Network, Financial News Network, Nickelodeon, etc.) are unique. While modification of services appears to be a far easier standard to meet than modification of facilities and equipment, it is still relatively difficult for an operator to satisfy.

The CCPA defines cable service as: the one-way transmission to subscribers of (i) video programming or (ii) other programming service (Section 602(5) (A)).

However, Section 625(c) does allow an operator to "rearrange, replace or remove" a required service if 1) that service is no longer available to the operator or 2) the copyright fees for carriage of that service are substantially in excess of those required on the date of the operator's original franchise proposal. Should either occur, the operator need only give the municipality thirty (30) days advance notice of such a change.

Operators may also rearrange services,



including moving services from one tier to another, provided that the tiers in question are *not* subject to rate regulation.

Finally, and perhaps most important, Section 625(e) *absolutely* prohibits any modification of service requirements pertaining to public educational or governmental access. The most important services referred to here are likely to be channel capacity, staffing levels and funding commitments.

The CCPA does mandate a couple of modification procedures which officials must follow:

1. Officials must make a ruling, in response to a modification request, within 120 days of receipt of the request, unless both the municipality and operator agree to extend that

period. In any case, the ruling must be made in a public proceeding.

2. An operator whose modification request has been denied may appeal to any appropriate court for relief.

## CONCLUSION

Local officials will likely be faced, at some point during the franchise term, with a request from their cable operator(s) for license modification(s). Officials should certainly engage in good faith discussions concerning these requests, with an eye to a "win-win" situation, if possible. As we've seen, officials can agree to voluntary modifications, with benefits accruing to the municipality, or proceed under the CCPA modification guidelines.

Quite clearly, these federal guidelines favor municipalities, in placing the burden on operators to prove why they should *not* be required to perform their contractual obligations. It is a tough standard and officials should be ready to use and enforce it.

*NOTE: The author gratefully acknowledges the experiences and suggestions of Woody Welch, David Olson and Michael Myerson, enunciated during their seminar on "Contract Modification" at the 1985 NFLCP Annual Conference in Boston.*

*Peter Epstein is a communications attorney, specializing in cable communications law. He is counsel for the City of Boston's Office of Cable Communications.*

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# The Quincy Must-Carry Decision: What Will It Mean For Access?

By Larrine S. Holbrooke

A recent federal court decision declared that the FCC's must-carry rules—long a fact-of-life in cable television—violated the First Amendment rights of cable operators. The court concluded that the rules “coerce speech,” and impinge on the cable operator’s “broad discretion to select programming.” While this alarming conclusion is tempered somewhat by the court’s passing acknowledgement of the important First Amendment values served by access, supporters of access should be greatly troubled by the *Quincy* must-carry decision since it is surely only a matter of time until access channels face similar constitutional challenges.

The must-carry rules at issue in the *Quincy* case required cable systems to carry every over-the-air television broadcast signal that was “significantly viewed in the community,” or that was otherwise considered a local signal under FCC rules. Quincy Cable TV originally operated a 12-channel system (later expanded to a 35-channel system) in Quincy, Washington, some 125 miles from both Spokane and Seattle. It petitioned the FCC to waive the must-carry rules so that it would not have to carry Spokane signals that duplicated its Seattle signals. The FCC denied Quincy’s waiver request, and Quincy appealed to the U.S. Court of Appeals for the District of Columbia. In addition, Turner Broadcasting System, which provides satellite-delivered cable services such as CNN, petitioned the FCC to delete the must-carry rules. The Commission denied Turner’s petition and it too appealed to the D.C. Circuit, which consolidated the two cases.

In striking down the must-carry rules, the D.C. Circuit rejected any argument that the First Amendment standards that apply to broadcasting should also govern cable. The court found that although from the “perspective of the viewer no doubt cable and broadcast television appear virtually indistinguishable,” the two media differ for purposes of First Amendment analysis because coaxial cable has the “technological capacity to carry 200 or more channels,” while broadcasting faces “the inescapable physical limitations

on the number of voices that can simultaneously be carried over the electromagnetic spectrum.” The court refused to accept the suggestion that the “‘natural monopoly characteristics’ of cable create economic constraints on competition comparable to the physical constraints imposed by the limited size of the electromagnetic spectrum.”

The court also found that cable’s use of the public rights-of-way does not justify application of broadcasting’s First Amendment standards to cable. “Stringing coaxial cable above city streets may well warrant some governmental regulation of the process of installing and maintaining the cable system. But hardly does it follow that such regulation could extend to controlling the nature of the programming.”

Concluding that “cable television shares attributes of the more traditional press,” the court applied the traditional First Amendment distinction between regulations with a legitimate governmental purpose that are “incidental” burdens on speech, and regulations that are designed directly or indirectly to curtail expression. If a regulation falls in the former category, it will be sustained if it passes the so-called *O’Brien* test: “if it furthers an important or substantive governmental interest . . . and if the incidental restriction on alleged First Amendment freedoms is no greater than essential to the furtherance of that interest.”

The D.C. Circuit concluded that the must-carry rules did not satisfy the *O’Brien* test of not being greater than essential to further the governmental interest. Noting that in the two decades that the rules have been around, the FCC had never examined any evidence to show that the rules served their purpose, the court concluded that “it is difficult to imagine a less discriminatory or more overinclusive means of furthering the Commission’s stated objective.” The court was clearly impressed by the fact that the must-carry rules protect every broadcaster, not just those that carry local programming, and that the rules failed to distinguish between systems with limited capacity such as the

original Quincy 12 channel system, and those with 100 or more channels.

While the must-carry rules obviously served the financial interests of broadcasters, the court ignored the fact that they also served the more fundamental purpose of ensuring that some speakers who are not specifically selected by the cable operator can be heard on the cable system. In a recent issue of *Community Television Review*, (Volume 8, No. 2, page 7) Professor Diana Peck reported on her study of the programming services on 65 of the largest 100 U.S. cable systems. She found that 60% of cable channels were under the control of the cable operator; 34% were must-carry channels; and a mere 6% were access channels. If the *Quincy* decision stands, then the percentage of channels under the exclusive and direct control of the cable operator will jump to 94%. As Professor Peck noted, rather than guaranteeing a wider range of diversity, the elimination of must-carry will simply give the cable operator more channels to control.

The must-carry rules are really just one form of access, and the reasoning that the court used to void must-carry could all too easily be applied to public, governmental and educational access rules as well. The *Quincy* case distinguished between “must carry” and other forms of access, stating that access rules “serve countervailing First Amendment values by providing a forum for public or governmental authorities,” while the “must carry” rules impermissibly transfer editorial control from the cable operator to local broadcasters. Access supporters, however, cannot afford to be comforted by the court’s passing recognition of the First Amendment values enhanced by access rules. Access channels are likely to come under direct constitutional attack, and serve as the next battleground over whether the First Amendment rights of any speaker other than the cable operator’s will be recognized.

*Larrine S. Holbrooke is with the Washington, D.C. communications law firm of Miller & Young, which represents municipalities in cable-related matters.*



# Hometown USA Video Festival Set for a National Tour

## COMMUNITY TELEVISION AT ITS BEST

The Hometown USA Bicycle Tour presents among the best local programs that cable television has to offer. These programs were selected from 1,000 videotapes that entered the 1985 Hometown USA Video Festival. Half of the tapes are produced by public access volunteers and the other half are produced by staff members of local cable companies. There were nearly sixty-two award winners. The bicycle tour includes ten of those programs in three one hour videotapes.

If you wish to rent this package, fill out the form at the bottom of this page, and return it to the National Federation of Local Cable Programmers, 906 Pennsylvania, Ave., S.E., Washington, D.C. 20003.

Here are the programs in the Hometown USA Bicycle Tour:

**Yellow Creek** (29 minutes from the *Documentary Public Awareness category*) was shot over a period of seven months by Appalshop, a community based media organization located in Whitesburg, KY. The program is part of the ongoing series, "Headwaters" which chronicles life in Appalachia.

**Thoughts on Water Use** (10 minutes from the *Instructional/Training category*) was produced in Tucson, AZ. It presents information on specific ways individuals and businesses can contribute to water conservation. This program is part of a four part series.

**The Documentary Urge: Tom Arndt** (20 minutes from the *Documentary Profile category*) was produced at the Minne-

apolis Institute of the Arts. It was showcased during the exhibition of photographer Tom Arndt and later shown on cable-systems throughout the area.

**Jailhouse Wrap** (24 minutes from the *Documentary Event category*) is a story of an artist and his work. The tape, produced by a volunteer producer Randy Visser, chronicles the efforts of artist Dick Michigan as he creates and executes a major conceptual piece: to wrap with his paper weavings, the jailhouse in Little Rock, AR.

**Barbacoa** (15 minutes from the *Ethnic Expression category*) is the name of a Mexican delicacy that is common to the Austin, TX area. As an expression of Mexican-American culture, this tape discusses the food's history, its tradition, and the way it is served and prepared.

**Entertainment Seen** (20 minutes from the *Entertainment category*) is an experimental weekly series produced in East Multnomah County outside of Portland, OR. The show is put together by the local origination staff of Rogers Cablesystems and features 25 actors, 12 writers, and seven crewmembers. This tape is a composite of segments from the series.

**Domestic Violence** (30 minutes from the *Municipal Programming category*) was produced by the staff of the municipal channel in Tacoma, WA. It is one of an ongoing series of programs dealing with contemporary problems a city faces. It includes both interviews and dramatizations.

**Iron Man** (10 minutes from the *Sports category*) is the story of a marathon athlete as he competes with himself in a test of endurance to benefit the American Lung Association. Directed by community producer Dan Kennedy, the tape was a volunteer effort and incorporates original music.

**Panama To Boston** (14 minutes from the *Ethnic Expression category*) is a portrait of a hispanic immigrant's transition and adjustment to life in Boston.

**Wallpaper: Video For the Ear** (6 minutes from the *Innovative category*) is an adventurous blend of music and images.

*Hometown USA  
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# Technology

## Audio Automation: An Important Supplement for Alpha-Numeric Channels

By Jim Jabara

Those access channels which run character generated messages face a unique challenge to provide suitable audio to go with the visuals. It isn't easy to obtain background audio that keeps people listening to the channel after messages about school lunches, city council actions or local meetings have rolled and crawled their way into the long-term memory.

The most common solution to this problem—using a local radio station—is an undesirable option. First, the radio station will be constantly competing with the access channel's identification. Second, why should the audience listen to this music on an access channel when it could be heard in high fidelity stereo on the radio? Finally, except for public radio, most radio stations run commercials, and commercial messages are inappropriate on access channels.

The best solution is to select music and spoken word recordings which cannot be heard on any other media outlets in the particular market that is being served. In-house audio background should create alternatives in programming, not redundancies.

The first step involves selecting a way to store and play extended audio equipment. There are several methods which vary in length, flexibility, and cost. The easiest and cheapest is to use a cassette deck with auto-reverse playback and repeat function, which provides up to 90 minutes of material over and over. The same auto-reverse feature can be obtained in quarter inch reel-to-reel, with even longer playing times and better quality. However, both systems lack flexibility, because in order to rearrange material, a new tape must be prepared.

Another alternative is an automated stereo cassette player which holds multiple cassettes and changes tapes automatically after playing through both sides, along with an automatic message machine which allows messages to be inserted into any background audio source.

### Automated Stereo Cassette Player

The automated cassette player holds ten

tapes in a master cartridge that goes into the player. These tapes can then be selected to play in any order, much like a juke box, and the sequence is stored in the machine's programmable memory. After the tapes have played through, the memory must be re-programmed.

When loading tapes, the programmer can select tape type (metal or normal) and noise reduction (dolby or dolby c) for each individual tape. The machine also has a blank space search feature which allows it to move directly to the next song or segment, even before the current segment has played out. In addition, the automated cassette player can be reprogrammed at any time through pushing a button. Press it once, and the machine will skip to the next cassette; hold it down and it erases memory so the entire order can be reprogrammed.

### Spot Announcement Machine

Spot announcements can also add a great deal to a community programming operation. A spot announcement machine automatically interrupts the background music source for the duration of the announcement.

There are a number of important reasons why it is desirable to have recorded announcements, as well as character generated (CG) messages. First, it expands the information capability when the CG memory is exhausted. Second, it gives the channel identification 24 hours a day, imparting the feeling that someone is there continuously. Finally, it allows those members of the audience who are visually impaired to receive information.

Using a microphone that plugs into the recorder, the announcements are recorded onto one side of a standard cassette tape. The machine can accept up to 99 messages of any length. At the end of the announcement, a blank space signals a return to the background source. When recording the announcements, this space is inserted with the touch of a burron.

About three seconds are needed to trigger the change from background to message. The transition between sources sounds quite acceptable considering the

volume is not increased gradually.

Another feature is its ability to delete messages. Any or all of the first nine announcements can be eliminated from the sequence with the push of a button, thereby allowing dated material to be canceled without taking unnecessary editing time. A voice-activated mike input is provided to simplify live announcements; the spoken message will cut in automatically, just like the recorded one, if the announcer speaks loud enough.

It is also important to be able to insert the messages either manually or automatically. During the day, when someone is working in the studio, the message machine is set on manual so the worker can hear when a tape ends and can add a spoken message, such as a station identification, through the mike; or, by pressing a button on the message machine, the worker can insert the next recorded message. At night, when no one is working, the machine is set on an automatic timer which inserts the messages at pre-set intervals: 2, 5, 10, 15 or 20 minutes.

An optional clock is available to start playback at certain times and could be used to have local news or community calendars on the hour or half hour. As an added convenience, a small digital read-out indicates which message is next in line. When the last recorded message has been played through, the machine automatically rewinds to repeat the sequence.

Considering all of these features, the automated stereo cassette player and the spot announcement machine are reasonably priced. You can obtain both machines together for less than \$1,500.

*Jim Jabara is the Cable Channels Coordinator for the city of East Lansing, MI.*



# THE COMMUNITY VIDEOT— A Resource of Technical Tips

By Dave Bloch

Last time, we talked about depth of field, and how it is affected by focal length and aperture. This issue, we will continue our discussion of photographic techniques applied to video, with some information on using over-the-lens filters and auxiliary lenses to improve the quality of your video, or to create special effects (cheaply!).

Photographers use a wide variety of filters and auxiliary lenses, which usually just screw into the front of the camera lens. Your video camera lens should also be threaded in the front—if the camera has a lens hood, it is screwed into this thread. Unscrew the hood, and the lens is ready for the addition of filters and auxiliary lenses. The filters and lenses are threaded on both sides, so it is also possible to screw one filter into another.

Filters come in a variety of diameters to fit different size lenses. Take your lens to your camera store, and let the friendly salesperson determine the right filter size for your lens.

Now, buy a "UV" filter for your camera. This filter is really an absolute MUST for every camera you loan out. A piece of perfectly clear glass, it filters out ultraviolet rays that sometimes give your video a bluish cast on very bright days. More important, it serves as very cheap (five to fifteen dollars) insurance against scratches and other damage to your expensive TV camera lens. The UV filter can stay on your lens AT ALL TIMES, and should.

## The Polarizer

Polarizing filters appear dark grey, and may be used simply as neutral density filters to darken the image without coloring it (the last installment of "Videot" explained the use of neutral density filters in reducing depth of field in brightly-lit scenes). But the polarizer, like Polaroid sunglasses, have the special ability to eliminate reflected glare from non-metallic surfaces.

If you wish to shoot through a window, for example, placing a polarizer over the lens will enable you to eliminate reflections from your side of the glass. You will get much better results shooting over or into water, too.

If you do a lot of camera-card graphics in your access center, you can vastly reduce the amount of reflected glare from your graphics by placing larger sheets of polarizing material (also available through better camera stores) over the lights, and one over your camera. The filter will give you much better color saturation and detail.

## Stars and Other Special Effects

You've seen films and video programs where every street lamp or stage light appears as a four- or six-pointed star. This effect is accomplished with—what else—a star filter! This is simply a screw-in glass filter with straight lines scratched into the surface in two or three directions.

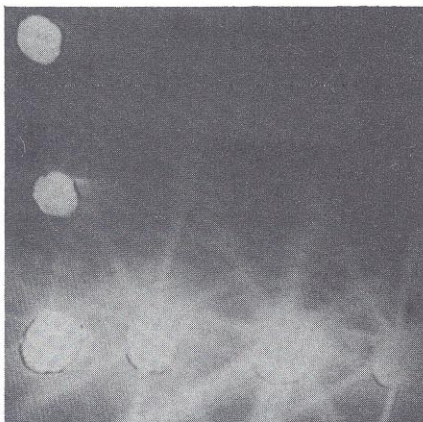
You can get a similar effect by cutting a piece of aluminum window screen to fit

over your lens—the thin wires will have the same effect as the scratches. Experiment with different focal lengths and lens openings to get the best results. If you are working with window screen BE SURE to place that UV filter over your lens first—you do not want to scratch your lens!

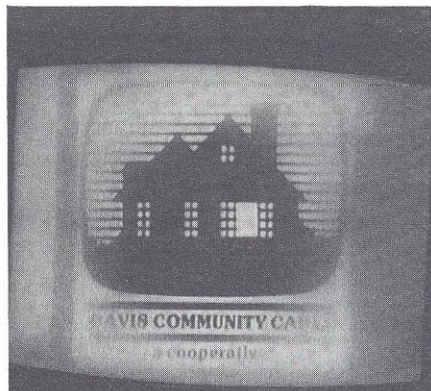
You can generate a romantic mood by using a center spot filter. This filter allows the center of the picture to pass through clearly, but diffuses the edges for a soft effect. This image is especially appropriate when shooting individual signers performing mushy songs. You can make your own center spot filter by purchasing another UV filter (which are cheaper), and smearing a small amount of Vaseline around the edges. (Don't touch the center!) You can vary the amount of diffusion by using more or less Vaseline, but try to spread it evenly around the circumference of the filter.

If one image of you channel logo isn't enough, you can create a kaleidoscopic effect with a multiple-image filter. This is a thick, prismatic filter that will take the central part of the image and multiply it all over the screen. You can also rotate the filter, if desired, for a carnival mood.

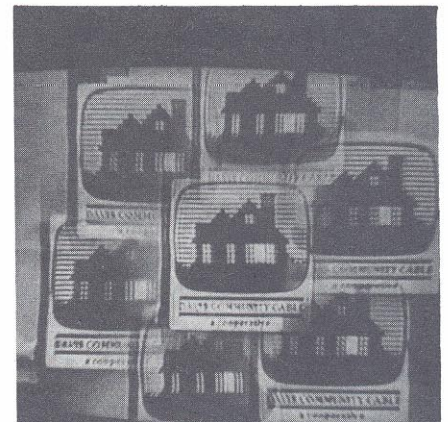
A word of warning about effects filters—DON'T OVERUSE THEM! Just like excessive zooming, panning, or video feedback, any special effect becomes tiresome to viewers when used over and over again. Save them for when they are most appropriate and they will really add impact to your program.



*A star filter transforms light into a four or a six pointed star.*



*A Center spot filter allows the center of the picture to pass through clearly, but diffuses the edges for a soft effect.*



*A multiple image filter creates a kaleidoscopic effect.*



## Auxiliary Lenses

The most useful auxiliary lenses for video use are closeup lenses, which usually come in kits of three or four lenses with various "powers." The higher the power, the closer the lens lets you focus. Screwing these lenses over your camera lens in different combinations will allow you to shoot objects at virtually any distance, beginning at the lens surface (if you can figure out a way to light something that close).

You say your camera already has a built-in macro lens? If it is like mine, you may find that there is still a range, say one to three feet, that the camera will not focus on anything. Attaching a closeup filter will allow you to focus on objects within that "forbidden range."

## The Cokin System®

Although screw-in filters are relatively inexpensive as video equipment goes (one of each of the ones described above would still come in under one hundred dollars), having to buy them for several different size camera lenses would multiply the costs fast.

The Cokin filter system, marketed by

Minolta, utilizes a single filter holder to hold any combination of their 120-plus filters. All you have to buy separately for each of your cameras is an adapter ring, which screws into your lens and attaches to the filter holder. Have fun!

*Dave Bloch is director of community programming for the Davis Cable Cooperative in Davis, CA.*

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## Managing Municipal Resources

*Continued from page 12*

have been experimenting with it here in Iowa City. Perhaps it is also being researched and tested in your community. When it becomes a reality, who will control what is offered to the public? What information about city government will the public have access to? Which departments will be able to input information into the base that the public has access to? What form and substance will the information take?

While we may not be ready for some of these questions, it is not too soon to think about their answers. And the questions raised here about municipal resources, centralization vs. decentralization, political influences and the goals of access, are some of the same questions that will be raised again.

*Drew Shaffer is the broadband telecommunications specialist for Iowa City.*

*Cinda Steward does freelance camera work for IPTV, the public broadcasting station in Iowa City.*

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